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Security Council

Sixty-sixth year

Provisional

6534th meeting
Thursday, 12 May 2011, 3 p.m.
New York

President:	Mr. Araud	(France)
Members:	Bosnia and Herzegovina	Ms. Čolaković
	Brazil	Mrs. Viotti
	China	Mr. Yang Tao
	Colombia	Mr. Osorio
	Gabon	Mr. Messone
	Germany	Mr. Wittig
	India	Mr. Manjeev Singh Puri
	Lebanon	Ms. Ziade
	Nigeria	Mr. Amieyeofori
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Churkin
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland	Mr. Parham
	United States of America	Mrs. DiCarlo

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2011/281)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

The meeting was called to order at 3.10 p.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2011/281)

The President *(spoke in French):* Unless I hear any objection, under rule 37 of the Council's provisional rules of procedure I shall invite the representative of Serbia to participate in this meeting.

It is so decided.

Unless I hear any objection, under rule 39 of the Council's provisional rules of procedure I shall invite Mr. Lamberto Zannier, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo, to participate in this meeting.

It is so decided.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Enver Hoxhaj.

It is so decided.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2011/281, which contains the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo.

I now give the floor to Mr. Lamberto Zannier.

Mr. Zannier: The report before the Council (S/2011/281) describes the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK) from 16 January to 15 April 2011. Today, I wish to update members on recent developments and, more generally, on the key current issues concerning Kosovo.

In the wake of the latest constitutional crisis, which was resolved with the election by the Kosovo Assembly of Ms. Atifete Jahjaga as President, Kosovo now appears to be heading towards a period of increased political stability. This in turn should be conducive to further progress in the dialogue between Pristina and Belgrade, which is key to finding solutions to the unresolved issues that hamper Kosovo's development.

The dialogue has gotten off to a positive start with three face-to-face meetings between the Serbian and the Kosovo representatives to date, during which discussions have focused on issues of importance to the day-to-day lives of Kosovo's inhabitants, including civil registration, freedom of movement, and telephony. UNMIK, though not physically present in the discussions, has been supporting the dialogue process and cooperating both with the European Union facilitation team and with the two sides, and will continue to support the process in any way that is helpful.

I am hopeful that both Pristina and Belgrade will demonstrate the resolve needed to find solutions to all relevant issues in a constructive spirit so as to solve problems for all communities, as well as to create better conditions for progress on reconciliation and for the further advancement of the entire region towards a common European future. I consider particularly positive the fact that today there was a meeting in Pristina between local senior Government officials and the Serbian chief negotiator, and I hope that this may pave the way for future progress in the engagement between the two sides. On a less positive note, however, I regret to inform the Council that a street protest against the visit escalated into violence that resulted in a number of injuries. Such violence undermines the dialogue and needs to be firmly condemned.

In general, allow me to point out that it is essential, particularly during this phase, for the parties to approach the situation on the ground cooperatively and with due respect for the concerns of all the communities. Solutions that foster trust between Kosovo's communities stand a much greater chance of serving the interests of long-term peace and stability.

One area where relations between the communities are particularly difficult is the north of Kosovo. Work has largely concluded on renovating the courthouse in northern Mitrovica, which was the scene of an occupation and action to regain the court just

over three years ago that resulted in the death of an UNMIK police officer and scores of injured. Since those events, only a small group of international judges and prosecutors — a first UNMIK staff and now European Union Rule of Law Mission in Kosovo (EULEX) staff — have been working in the courthouse intermittently. Nonetheless, the issues that led to the occupation remain unresolved and still contentious. In order to restore a fully functioning administration of justice in northern Kosovo, which should not be further delayed. There needs to be progress in the engagement between the sides and with the communities that the court will serve.

Another controversial issue related to the north of Kosovo is the census, which was held in the rest of Kosovo last month. The United Nations Office for Project Services (UNOPS), as a status-neutral entity, agreed to conduct the census in northern Kosovo, and UNMIK supported this process by facilitating meetings between UNOPS and local institutions in the north and by providing support through the UNMIK-run administration for north Mitrovica.

It was expected that the census in northern Kosovo would begin in early May but, regrettably, as of today there is no start date. The process has been unduly politicized, and UNOPS reports that cooperation from local institutions on a number of operational aspects has not been forthcoming, in particular with regard to the formation of local census commissions and the recruitment of field staff. This situation, if not rectified, will be detrimental for everybody. Without the proper collection of data on the dimension and composition of the communities, it will be more difficult to plan the much-needed interventions to promote the economic and social development of the region.

Looking more generally at the state of the economy in Kosovo, referred to in some detail in the Secretary-General's report, the situation remains of concern due to high unemployment and heavy public spending, notably on public sector wages and transport infrastructure, which has led to the suspension of substantial external budget support by the International Monetary Fund (IMF), the World Bank and the European Commission. Although there are expectations of significant economic growth, there is still a lack of foreign investment. Moreover, inflation is rising, and in March the consumer price index was 10.8 per cent higher than it had been one year before. The IMF and some recognizing States have offered advice and support to the Kosovo authorities in developing more realistic economic programme. It is now expected that the Kosovo authorities will focus their energies and attention on carrying out the necessary adjustments.

The lack of economic prospects is also one of the main obstacles to the returns process, which remains disappointingly slow and in some instances unsustainable. Although in 2010 minority returns were greater than at any other time in the past six years, totalling 2,275 individuals, the first quarter of 2011 shows a 53 per cent decrease in voluntary returns compared to last year, with Kosovo Serbs constituting fewer than one in four returnees. While the policy of the Kosovo authorities remains open to encouraging returns, we have witnessed persisting problems at the local level, where economic pressures and lack of reconciliation have created tensions between receiving communities and returnees.

The lack of reconciliation is in fact another key impediment to returns. Despite the dialogue and occasional attempts by various bodies, mainly non-governmental organizations, reconciliation remains an issue that has been insufficiently tackled. Nevertheless, the continuing efforts being made to clarify the fates and locations of missing persons and to identify their bodily remains — an essential part of the overall process of reconciliation — are resulting in slow but steady progress. As I have noted in past addresses to the Council, UNMIK supports efforts by Pristina, Belgrade, EULEX and the International Committee of the Red Cross to identify all of Kosovo's missing persons, as well as to investigate their disappearance and bring those responsible to justice.

In this regard, allow me now to turn to the Council of Europe's Parliamentary Assembly resolution 1782 (2011), calling for an investigation of allegations of inhuman treatment of people and illicit trafficking in human organs in Kosovo, which was based on a report by the Parliamentary Assembly's Rapporteur, Dick Marty. It is essential for these allegations to be subject to a thorough, impartial and independent investigation, conducted promptly, for the sake of the victims and their loved ones, as well as for the sake of those whom it is alleged were responsible for the crimes. As noted in the Secretary-General's report, EULEX has stated that it has the ability to handle the case, while the Serbian Government has

proposed the establishment of an ad hoc mechanism under the authority of the Security Council. In any event, UNMIK remains fully available to cooperate with such an investigation, in the awareness that while these allegations are pending, it will be even harder for reconciliation to take root.

Following further progress in the so-called unfixing of Kosovo Force (KFOR) protection of a number of key Serbian Orthodox Church sites, the Kosovo Police has taken over protection responsibilities, thus far without incident. However, the Secretary-General's report mentions the discovery of the theft of 13 square metres of lead sheet roofing from the Virgin Ljeviška church in Prizren. Events such as this could seriously undermine the Serbian Orthodox Church's confidence in the protection offered by the Kosovo Police. For this reason ,I requested KFOR, which was initially in charge of protection for this church, to provide information on the matter. On 3 May, KFOR Commander Major General Erhard Bühler, informed me that a German military police investigation had determined, based upon photographic evidence and witness statements, that the lead sheeting was in fact most likely removed between April and July 2008, when the church was guarded by a private security company. Kosovo Police assumed responsibility for guarding the church in February 2009.

Finally, UNMIK continues to play a key role in facilitating Kosovo's participation in regional and international forums where non-recognizing States are present. These have most recently included meetings on justice, regional integration and transport. As reported, the 2011 UNMIK/Kosovo chairmanship of the Central European Free Trade Agreement has gotten under way with a first meeting held in Brussels. Pristina and Belgrade have indicated their willingness to go along with a loosely defined formula for the conduct of the meetings during this chairmanship year that focuses on making progress on issues of mutual interest, rather than on attempting to derive political advantage from the issue. It is important that this constructive approach should continue with a view to resolving a number of important outstanding issues, such as the use and acceptance of Kosovo customs stamps. In this, as well as in other instances, the Pristina authorities have recently taken a more pragmatic approach to interaction with UNMIK.

In conclusion, on behalf of all UNMIK staff, I wish to thank the Council for its continued support and to assure it of our full commitment to the implementation of the mandate with which it has entrusted us.

The President (*spoke in French*): I thank Mr. Zannier for his briefing.

I now give the floor to His Excellency Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia.

Mr. Jeremić (Serbia): I would like to thank you, Mr. President, for convening this meeting of the Security Council on the United Nations Interim Administration Mission in Kosovo (UNMIK), pursuant to resolution 1244 (1999).

I welcome the presence of Special Representative Lamberto Zannier and gratefully acknowledge the unequivocal statement in the report of the Secretary-General (S/2011/281) that the Mission's priorities remain unchanged.

We believe it is critical for all responsible stakeholders on the ground, together with the Security Council, to reaffirm support for UNMIK as an indispensable pillar of peace and security. We echo the importance that the Secretary-General places on the close coordination required of all international actors that operate within the framework and under the authority of the United Nations and resolution 1244 (1999), including the Kosovo Force (KFOR), the European Union Rule of Law Mission (EULEX) and the Organization for Security and Cooperation in Europe Mission in Kosovo.

We also reiterate our support for UNMIK's ongoing commitment to the external representation function for Kosovo. We continue to be deeply concerned, however, that the province's ethnic Albanian authorities remain fundamentally sceptical on this issue. Today's report suggests, on the one hand, that they appeared to be taking a pragmatic attitude". On the other hand, the same document highlights Pristina's continuing unwillingness to attend a number of regional meetings, for which UNMIK's facilitation is required, including sessions of the Regional Cooperation Council.

Serbia hopes that the constructive and inclusive approach offered by UNMIK will be embraced at long last. Adhering to established procedures and legally *binding agreements is the only way to ensure that*

regional cooperation continues to improve under the current set of circumstances, which have been severely complicated by the 17 February 2008 unilateral declaration of independence of the ethnic Albanian authorities of our southern province.

I would like to once again reaffirm my Government's position on the unilateral declaration of independence. We do not, and we will not, recognize it, explicitly or implicitly. This is mandated by the democratic will of the people of Serbia and enshrined in our Constitution. A substantial majority of States Members of the United Nations, and of those seated on the Security Council, continue to respect Serbia's sovereignty and territorial integrity, in accordance with the basic principles of the United Nations Charter and the Helsinki Final Act.

On behalf of my nation, I would like to reiterate our deep gratitude for their support and solidarity in the face of numerous pressures. We urge them to maintain their principled position, thus ensuring that unilateral attempts to impose outcomes to ethnic and territorial disputes are not legitimized, and thereby preventing Kosovo's unilateral declaration of independence from becoming a dangerous and destabilizing precedent for the whole world. This will also contribute to maintaining a healthy international environment within which the negotiations between Serbia and Pristina can continue.

Last September, the world supported by acclamation the fact that dialogue is the only road to peace in Kosovo. I want to emphasize that Serbia remains strongly committed to these talks, which finally got under way during this reporting period. The Secretary-General has observed that while the long-awaited launch of the dialogue is an encouraging development, it is still too early to assess its results. The report characterizes the dialogue as being conducted in a positive and constructive atmosphere. Indeed, a strong foundation has been laid for arriving at consensual solutions to all outstanding issues. We hope that the forward momentum will be maintained, strengthening the spirit of compromise that holds the key to success in this endeavour.

Discussions have taken place on the following topics: civil registry, cadastral records, telecommunications, electricity, civil aviation and a package of issues defined as freedom of movement. Some progress has been achieved. For instance, a working group was established and tasked with ascertaining the current state of the civil registry books. Agreement has already been reached on practical arrangements regarding UNMIK's chairmanship of the Central European Free Trade Agreement for 2011, within the framework of resolution 1244 (1999). It was also agreed that neither the facilitator nor any other stakeholder would attempt to unilaterally impose any outcome on the parties, as after the unsuccessful Ahtisaari process. Serbia will remain a constructive participant in the dialogue, and will continue to offer multiple proposals for each topic.

We firmly believe that the United Nations needs to be present during the negotiating sessions. This is a transparent process, and we have nothing to hide from the Organization. We therefore appeal to all those who insist that the United Nations must be left out of the room to reconsider their positions, especially in the light of the Secretary-General's continuing dedication, as stated in today's report, "to ensure an effective exchange of information and reporting on the dialogue to the Security Council" (*S/2011/281, para. 59*).

The Council's leading role in determining and providing legitimacy to a comprehensive settlement remains indispensable, in accordance with resolution 1244 (1999) and the Council's primary responsibility to maintain international peace and security.

Let me underline how critically important it is that no one tries to alter realities on the ground unilaterally. Numerous reports by the Secretary-General have warned us of that danger, including the one before us today. The province's ethnic-Albanian authorities have repeatedly sought to extend the reach of their Pristina-based institutions to North Kosovo, against the will of the local population, including multiple attempts to deploy heavily armed special police units. According to the report, this has increased tensions. The report also states that the majority-Serb community of North Kosovo perceives these provocations as

> "not being dictated by rule of law considerations but, rather, as being intended to intimidate the local population and impose Pristina structures upon them without their consent" (*ibid., para. 19*).

We remain deeply concerned by these and other unilateral measures against Kosovo Serbs. Addressing the General Assembly last September, President Boris

Tadić clearly stated our position on this matter: "Any attempt to change these realities through the use of force would bring an immediate end to the process of dialogue." (*A/65/PV.16, p. 10*)

The Secretary-General's report underscores recent developments in Serbian cultural and religious heritage issues in Kosovo. We appreciate UNMIK's key role in facilitating UNESCO's activities in the province, as well as the work of the Council of Europe-led Reconstruction and Implementation Commission, which we believe should continue under the terms of its existing mandate.

As the report indicates, Orthodox churches and graveyards continue to be desecrated, with arrests for attacks on places that represent the core of Serbian national identity remaining few and far between. This unfortunately indicates the preponderance of a culture of impunity that tolerates extremism and hate crimes. A prime example of the current state of affairs is the Church of the Virgin Ljeviška, located in the centre of the ancient Serbian capital of Prizren. The church was placed on UNESCO's List of World Heritage in Danger following the March 2004 pogrom. Nevertheless, it has remained a target for extremists.

On 13 April, Bishop Teodosije of Raška-Prizren and of all of Kosovo and Metohija wrote a letter to Special Representative of the Secretary-General Zannier in connection with the most recent large-scale theft of the shrine's led roof. This crime, which local authorities charged with protecting the site did not even report, has further damaged the early fourteenth-century frescoes that were commissioned by Serbia's King Milutin. It is the third such act of vandalism since the March 2004 pogrom. The manifest inability to protect one of the most important heritage sites in Southeast Europe needs to be addressed. As Bishop Teodosije's letter to Special Representative Zannier concludes, after so many failures of the local authorities to protect our holy sites, a more adequate long-term international protection of the Serbian Orthodox heritage in Kosovo is more than necessary.

Viewed in this light, the ongoing commitment of KFOR to maintain a static presence at some of our most important holy sites is absolutely critical. These include the Dević monastery, the Visoki Dečani and the Patriarchate of Peć, both of which remain on the UNESCO List of World Heritage in Danger. Given the rising tide of tension in Prizren, we also call on KFOR to redeploy a guard unit to the Cathedral of the Holy Virgin of Ljeviška.

The Secretary-General's report paints a bleak picture of the overall situation in South Kosovo. Domestic political turmoil dominated the reporting period, it says. Sharp divisions came to the surface in the wake of the controversial results of last year's election. That led to a political crisis that culminated in a court ruling that brought to an end the 35-day-old presidency of Behgjet Pacolli. Following what the report terms "intensive talks and diplomatic mediation," Atifete Jahjaga — who until then was the Deputy General Director of the Kosovo police — was picked to be the new President.

Last week, the European Police Office (Europol) released its biennial European Union (EU) Organized Crime Threat Assessment. That report identifies Kosovo as a major European organized crime hub and states that Albanian-speaking groups "remain the most prominent in trafficking heroin to and within the EU". One of Europol's key judgments is that these criminal groups are among the best resourced in Europe, drawing their membership from individuals with a secret service, police or paramilitary background. The Threat Assessment concludes that some of their proceeds are reportedly destined for support organizations of the former Kosovo Liberation Army, or the KLA.

Key public figures, mostly former KLA leaders, stand at the very centre of serious allegations contained in a deeply disturbing report — overwhelmingly approved by the Council of Europe Parliamentary Assembly on 25 January — entitled "Inhuman treatment of people and illicit trafficking in human organs in Kosovo". The report claims that the KLA leadership is responsible for kidnapping hundreds of Serb civilians before, during and after the 1999 conflict, and that those abductees were sent from Kosovo to secret detention camps in the Republic of Albania. According to the report, the captives were forced into surgery, before being left to die. Their internal organs, once extracted, were sold on the international black market.

This represents a uniquely monstrous practice in the voluminous annals of brutal warfare in Europe and has shocked the conscience of the world. The tragic situation has been aggravated by the deeply disturbing fact that for years, to quote from that Council of

Europe report, "international actors chose to turn a blind eye to the war crimes of the KLA, placing a premium instead on achieving some degree of short-term stability". The report concludes that "certain crimes committed by members of the KLA, including some top KLA leaders, were effectively concealed and have remained unpunished".

We plead for the full truth in the allegations of human-organs trafficking to be established and for justice to be done. If that is our common goal, there is only one way forward, and it requires action by the Security Council.

To that end, the Republic of Serbia has made a formal proposal in the form of a concept paper that has been designated as an official Security Council document (see S/2011/256) at the request of the Secretary-General. No existing institution can either conduct a comprehensive investigation or ensure the cooperation of all concerned. Only a mechanism created by the Security Council can do that. Without it, any number of alleged participants in the human-organs trafficking criminal conspiracy could remain beyond reach. Justice would be ill served should anyone implicated in this heinous endeavour not answer for what he did because of mandate or jurisdictional limitations.

It is in this context that we should examine the precipitous assertion made by the European Union Rule of Law Mission in Kosovo (EULEX), in a press release of 28 January, that it has the capacity, the expertise, the location and the jurisdiction to conduct the investigation. That is factually incorrect, as our concept paper describes in detail. The truth is that EULEX — which classifies itself as a technical mission — can operate only within Kosovo, and nowhere else, whereas the alleged criminal trail leads not only to a number of European countries but also into parts of Africa, Asia and the Middle East.

Let us turn for a moment to the contemporary Medicus case, as mentioned in Annex I of the Secretary-General's report. This case involves another criminal conspiracy to source human organs for illicit trafficking and mirrors in many ways the KLA-led operation. While EULEX has been able to indict a number of ethnic Albanians on various charges, two of the ringleaders — both foreigners — have fled Kosovo and cannot be extradited. Therefore, even if all the defendants currently in the custody of EULEX are convicted, justice will be only partially served.

While EULEX cannot conduct a comprehensive investigation on its own, it should play a crucial role in uncovering the truth about what happened inside Kosovo itself. To be an effective part of the ad hoc investigation mechanism, however, EULEX will need to assure its full statutory independence from the ethnic Albanian institutions. Right now, EULEX bases its investigative and prosecutorial competencies on legislation passed by Pristina.

EULEX will also have to upgrade its current support capacities by providing, inter alia, a more effective witness protection and relocation programme. That will guarantee credible testimony by all without fear of retribution. In addition, EULEX will have to act far more decisively than it has, for example, in the case of Fatmir Limaj, a former Minister of Transport and Telecommunications indicted in connection with allegations of war crimes. As Annex I to the Secretary-General's report acknowledges, more than two months have passed since the latest unsuccessful attempt by EULEX to clarify the issue of his supposed immunity from prosecution. Limaj continues to mock EULEX efforts to arrest him and continues to be a free man.

In each previous instance involving war crimes in the Balkans — whichever side the perpetrators belonged to and irrespective of their political roles — the Security Council has given a mandate to investigate. We ask for nothing more, and we have no moral right to settle for anything less. If all investigations into war crimes committed by Serbs received mandates from this body, then why should the investigation of war crimes committed against Serbs not take place under the auspices of the Security Council as well? With malice towards none and with firmness in the right, we ask: what possible explanation could there be for such a double standard? Like must be treated as like. No suspected war criminals in the Balkans should ever enjoy any sort of privileges, immunities or protections.

The Secretary-General, in his letter of 3 May addressed to you, Mr. President (S/2011/281), expressed his support for an in-depth, impartial and independent investigation into the serious allegations of human organs trafficking. The United Nations, the letter concludes, will cooperate fully with such an investigation, should one be carried out.

This is a black and white situation. No nuance is possible here, for there must be no gray area when it comes to war crimes. On behalf of my nation, I appeal to the Security Council to support our plea to thoroughly investigate allegations of the harvesting and smuggling of organs of innocent Serbian civilians. We will not rest or retreat until the full truth about what happened is uncovered. This is our solemn obligation to all the victims of this terrible inhumanity and to their families. We must not let them down.

This matter also constitutes an integral part of the reconciliation process and is itself a prerequisite to establishing a lasting peace between Serbs and Albanians. Let us come together in the service of justice and see that it gets done through a comprehensive, independent investigation accountable to the whole world.

The President (*spoke in French*): I now give the floor to Mr. Enver Hoxhaj.

Mr. Hoxhaj: Let me start by expressing, on behalf of the people and the Government of the Republic of Kosovo, our profound gratitude for the Council's attention to the latest developments in the Republic of Kosovo during the most recent reporting period.

We have gathered here yet again to discuss the issues related to the post-independence situation in Kosovo. Some members may remember that there have been many times in the past when reports from Kosovo spoke more of challenges and problems than of solutions and positive developments. I am here today to provide the Council with a first-hand account of recent positive developments, but let me also thank the members of the Security Council, the Secretary-General and his Special Representative, Mr. Lamberto Zannier, for their strong role in our young country.

The United Nations presence in Kosovo has been one of the international community's largest nation-building efforts in the modern history, and these efforts have borne fruit. The independence of Kosovo in the last three years has produced peace, stability and security in the region, and Kosovo is today gaining its rightful place in the community of free nations.

As the Council has heard from Mr. Zannier, over the past months Kosovo passed through a dynamic period. Our young Republic has consolidated its institutions in the pursuit of good governance and political stability. A constitutional crisis was initiated by the resignation of former President Fatmir Sejdiu, and we had national elections that passed through rigorous tests and challenges in both the courts and the Central Election Commission. After certification of the results — to which no party objected — we formed a new Government under the leadership of our former and present Prime Minister, Hashim Thaçi.

The Democratic Party of Kosovo, the party that won the most votes, entered into coalition discussions with relevant political stakeholders. In the end, common ground was found with the New Kosovo Alliance, the Serb Independent Liberal Party and Turkish, Bosniak and other smaller parties. This coalition formed a dynamic and multi-ethnic Government that is prepared to lead Kosovo towards greater strength and integration in the community of democracies.

After the final certification of election results, members of the parliament elected Mr. Behgjet Pacolli as the President. Opposition parties filed a complaint with the Constitutional Court objecting to the procedures of Mr. Pacolli's election. Less than a month later, the Court ruled that the new President was elected in violation of constitutional quorum and candidate requirements.

That unexpected decision provided a moment of political challenge that tested yet again the strength of the governing coalition. However, it is important to note that at no time did any party in Kosovo oppose or object to the Constitutional Court's role or its decision. The Government and the people of Kosovo respected our institutions, and they recognize the importance of the Court's independence as the arbiter of Kosovo's Constitution. This is a primary example of Kosovo's dedication to the rule of law.

Kosovo came through these challenges when the governing coalition and the largest opposition party showed that they were ready to elevate national interests for stable governance above narrow political interests. The Government and opposition reached a compromise that supported the election of Atifete Jahjaga as President of the Republic of Kosovo.

President Jahjaga is the first woman to be elected as head of State in the Balkans. She brings to the office a lifetime of dedicated public service, having worked for years with the Kosovo Police trained by the United Nations. She is a non-partisan leader who represents all

of Kosovo. This development is good for Kosovo, good for the region and good for the world.

The governing coalition now leads in a stable political environment and enjoys the participation of ethnic minorities from Serb, Turkish, Bosniak, Roma and other communities, who have 25 seats in the 120-seat Parliament. For the first time in the history of Kosovo, the Government also includes a Deputy Prime Minister and three ministers from the Serb community. Kosovo Serbs are represented at all levels of the Government and civil service. This development reflects Kosovo's status as a functional multi-ethnic democracy that celebrates and draws strength from its diversity.

Kosovo's communities have rejected the Republic of Serbia's politics of division. Their participation in Kosovo's institutions in the central and local Governments shows that Kosovo has unified around the promise of a representative democracy that gives a voice to all of its members.

We are happy to report to the members of Security Council that more Serbs participated in Kosovo's elections than in the illegal elections organized by the Serbian Government in the past in some parts of Kosovo.

It is important to note that the parallel Government of Serbia institutions that continue their corrupt activities in some parts of Kosovo are illegal, according to the Security Council's own decisions.

President Jahjaga is not the only Kosovan woman receiving international attention nowadays. The Government of Kosovo has also named Ms. Edita Tahiri as a Deputy Prime Minister and the country's special representative to lead Kosovo's delegation in the dialogue with the Government of Serbia. Kosovo recognizes the importance of this dialogue with Serbia and is taking part in the discussions at the highest level.

We accepted the invitation of the European Union (EU) to engage in dialogue with Serbia, which was welcomed by the General Assembly when it acknowledged the advisory opinion of the International Court of Justice. If I may remind members, the Court confirmed the legality of Kosovo's declaration of independence.

The Government of Kosovo has engaged fully in the EU-facilitated dialogue. It is a good opportunity for both Kosovo and Serbia to put the past behind us. Our focus is on a future that will see both the Republic of Kosovo and the Republic of Serbia enter the European Union as equals, as independent States.

With the facilitation of Mr. Robert Cooper as EU representative, Deputy Prime Minister Tahiri has met three times with Serbia's representative to the dialogue, Mr. Borislav Stefanović. We have opened several topics of discussion in the dialogue, and there are indeed many unresolved issues between the two sides. I would like to inform the Council that today that the first visit of Mr. Stefanović happened in Pristina, the Republic of Kosovo, and very soon representatives of the Republic of Kosovo will visit Belgrade.

I assure the Council that Kosovo is ready for and committed to finding new and creative ways to improve the lives of all citizens and to assist Serbia in coming to terms with our independence. That should bring a package of solutions in areas of importance to the daily lives of the citizens of both countries. It should show the world that the Balkan people want peace and prosperity. We do not want to enhance ethnic divisions or to reopen old wounds.

The Government of Kosovo expects two things from the dialogue. First, we want creative solutions that respect our constitutional order, set up by Special Envoy of the Secretary-General President Ahtisaari. We want to solve practical issues, such as the mutual recognition of documents, license plates, airspace, school and university diplomas, telephone communication and others.

We want to extend freedom of movement for the people of Kosovo across the Balkans. Today, the people of Kosovo can travel to most neighbouring countries and most of the world with their Kosovo passports, including many countries that have yet to recognize us as an independent State. Serbia, on the other hand, still refuses to acknowledge documents issued in Kosovo, just as it refused to accept documents formerly issued by the United Nations Interim Administration Mission in Kosovo. Such artificial and wholly political restriction on the freedom of movement in the region has not helped the dialogue or reconciliation between the two peoples and their countries. While Serbia might question the right of Kosovo to exist as a State, there is no question whatsoever that Serbia itself has no right to exercise any type of authority within the borders of Kosovo.

Our second goal for the dialogue is linked to the first. The Government and the people of Kosovo are tired of conflict and propaganda. We want to look forward and to engage in a process of reconciliation with Serbia. There have been many instances in our common history in the Balkans when people of the region have cooperated with each other. As both countries move towards EU membership, now is the time to shake hands again and to look to each other as equal partners. We are ready to talk about solutions that promote the rule of law and preserve Kosovo as a unified legal space, in accordance with the Constitution of Kosovo.

The Kosovo Government wants to prove beyond doubt its willingness to meet, discuss and agree with its neighbours as a fundamental condition of European integration. It is in Kosovo's and Europe's strategic interest to enable the free movement of people and goods within the framework of EU integration. For that purpose, the Government established a special Ministry of European Integration to ensure that we meet European Union standards. It will set the conditions for Kosovars to join the rest of the Balkan States in the visa-free zone within Europe.

The eyes of the world are focused on Kosovo and Serbia during this dialogue. I assure members of the Council here today that Kosovo wants friendly relations with all of its neighbours. We recognize that as a precondition for a stable and peaceful Balkans.

I promise the Council that we will not allow extremist elements to distract us from our objectives. We call on the Government of Serbia to join us in opposing those radical organizations that have used nationalist language, as well as violence, against members of Kosovo's Serb community who have agreed to cooperate with Kosovo's institutions. Serbs across Kosovo participate in the country's democratic institutions. Their involvement in political life has ensured responsive local governance that represents their priorities.

The situation is less positive in the north of Kosovo, where an atmosphere of fear persists. The Government of Kosovo has implemented the Ahtisaari proposal, and is in permanent contact with the international community on a partnership to extend the rule of law and the country's unified legal system.

However, radicals who refuse democracy and claim to represent the Government of Serbia have prevented the organization of national elections. They have employed intimidation and violence to prevent the local communities and their residents from joining Kosovo's institutions. Those radicals have opposed the efforts of the European Union Rule of Law Mission in Kosovo (EULEX) and the Kosovo Force to establish the rule of law in northern Kosovo. They have prevented the reopening of the Mitrovica District Court and have obstructed attempts by Kosovo's political leaders to reach out to the population by making personal visits to the communities. Such active obstructions, which have delayed EULEX's core objective of establishing equal and unified rule of law in all of Kosovo, have given rise to the voicing of some discontent among our civil society, media and certain political leaders.

Kosovo is very supportive of EULEX, and the Kosovo Government sees the Rule of Law Mission as its partner. We look to EULEX for support in showing radicals who reject peace and progress in Kosovo that they cannot beat back the tide of the rule of law. EULEX has the resources and the capacity to make a difference in Kosovo. It can promote the rule of law, strengthen the fight against corruption, and investigate former Swiss parliamentarian Dick Marty's allegations of war crimes that took place during the conflict. The Government of Kosovo recognizes EULEX as an independent arbiter of justice that can determine the legitimacy of Mr. Marty's allegations. We invite all sides to deliver any information and evidence that they may have regarding Mr. Marty's allegation to the EULEX prosecutors.

There are a few more items to report from Kosovo. Kosovo has approved its new budget, which includes salary increases for all categories of public employees, from teachers to policemen, doctors and civil servants. The International Monetary Fund (IMF) has voiced its concern over the increases. The Government is in close contact with our partners in order to prove the necessity, as well as the prudence, of such increases. Kosovo has managed to close the gap in tax collection, improving revenue collection by more than 30 per cent compared to the previous year. According to the IMF's economic outlook for the year 2011, Kosovo has the fastest growing economy in the Balkans and in Europe. We started from a very low base, but are rapidly catching up.

Kosovo has the third highest growth in wireless Internet connections in Europe. The Kosovo

Government has just started implementing a new plan that will further support economic growth. While the rest of the Balkan States have already privatized their public resources, we will start that process this year. The combined value of investments in telecommunications, energy, agriculture, ski tourism and infrastructure for the next three years is expected to further increase our gross domestic product growth.

That will provide a major push for the economy and enable the Government to pass the baton of development to private and free market-oriented players. All major European banks, insurance companies and airlines have established a base in Pristina. The capital city has one of the lowest crime rates of any capital in Europe. We are aware that some people still associate Kosovo with war, refugees and crisis, but, as any visitor to the new, independent Kosovo can report, the new country is dynamic, young, growing and open for business.

If Kosovo is to enjoy the same benefits as other countries in the Balkans, we need Serbia to stop its obstruction of our participation in the Central European Free Trade Agreement accords. The EU and Kosovo have both proposed various compromises on the issue of the customs stamps used by Kosovo at border posts. We are very sorry to see that Serbia continues to block our producers from moving goods through Serbia. Serbia's action represents an absence of reciprocity, as the Government of Kosovo has maintained an open-door policy to all EU countries and prospective candidates. In fact, Kosovo is a major trading partner for Serbia. We hope that our neighbours will soon refrain from blocking and sanctioning our producers.

Allow me to address another positive development. I am happy to report that we managed to successfully complete the census in almost all of Kosovo. The 2011 census was organized with the help of the Statistical Office of the European Communities and donor agencies that monitored the complex procedure. In June, for the first time in three decades, the central Government will have accurate data on population, unemployment, education, age and gender, among other information.

We have pleaded with Serbia to urge Serbs in Kosovo's northern municipalities to take part in the census that will be conducted by the United Nations Office for Project Services. We are extremely disappointed that Serbian Government representatives have called for a boycott of this internationally recognized census.

The census has already confirmed what we have long suspected, namely, that more than one third of all Kosovars now live abroad, making Kosovo one of the most widespread populations on the European continent. Kosovars live and work in countries ranging from New Zealand to Germany and from Norway to South Africa. We are proud that our citizens living abroad are now giving something back to their country, in the form of remittances and foreign direct investment.

In conclusion, allow me to add some personal observations regarding the path that lies ahead of us. Since I was appointed to this position, I have travelled a great deal to assess the international position of Kosovo. It is clear that Kosovo is no longer the primary focus of international diplomacy. That is good news and means that there are fewer reasons for the United Nations, the European Union, NATO and other bodies to dedicate as many resources to the Balkans. NATO has now decreased its forces to fewer than 5,000 soldiers. It is clear that Kosovo will have a shrinking need for military support and a growing need for investment, cultural and academic exchanges and political and economic reforms.

When I hear Mr. Jeremić describe Kosovo, I cannot help but wonder at the reasons for his distorted version of the country today. He is out of touch with the facts on the ground. We have worked to accommodate the needs of minority communities and, over the past three years, have invested more than €200 million in implementing the Ahtisaari Plan. Today, Kosovo is a young, stable and vibrant State that provides possibilities for all of its citizens. I thank the United Nations and the international community for facilitating that transformation in Kosovo.

Here and now, we renew the pledge that Kosovo is committed to peace and stability in the Balkans. We welcome the partnership of the United Nations in that shared objective.

Mr. Parham (United Kingdom): I wish to thank Special Representative of the Secretary-General Lamberto Zannier for his briefing today and for his continuing strong leadership of the United Nations Interim Administration Mission in Kosovo (UNMIK). I would also like to welcome Mr. Enver Hoxhaj, the Foreign Minister of Kosovo, and Mr. Vuk Jeremić,

Minister for Foreign Affairs of Serbia, to the Council Chamber today.

The past three months have proven to be an important time for Kosovo in consolidating its progress as an independent State. We have witnessed significant political uncertainties since the most recent Security Council debate (see S/PV. 6483), as a new Government was formed. Kosovo's institutions rose to the challenge and set a precedent for responsible, inclusive and democratic Government.

The new Government and the new President have already started work on the issues of key importance to Kosovo's future, namely, European Union (EU) integration, economic reform and regional cooperation, including the EU-facilitated dialogue with Serbia. We welcome the focus on delivering further positive development for all communities living in Kosovo.

The EU-facilitated dialogue between Pristina and Belgrade is clearly vital to the future of both countries and to peace and prosperity in the region. With political will on both sides, the dialogue should deliver practical benefits aimed at improving trade, people-to-people contact and the quality of life of the citizens of Kosovo and Serbia. It will also support the progress of both countries towards EU accession.

The United Kingdom welcomes the pragmatic approach taken by both Belgrade and Pristina during their first three meetings. It is important that they build on that momentum and that both countries continue to engage in a constructive and flexible manner.

Looking at wider developments in Kosovo, we welcome the assessment in the Secretary-General's report (S/2011/281) that the security situation in Kosovo, including in the north, has remained calm. We also welcome the reporting of clear and decisive action having been taken against organized crime and corruption from the European Union Rule of Law Mission in Kosovo (EULEX), working in partnership with the Government of Kosovo.

Serious challenges remain. It is essential that the Government of Kosovo continue to actively address priority areas for reform. In particular, I would highlight the rule of law, an area in which Pristina must continue to work closely with EULEX, as well as the legal and regulatory obstacles to foreign investment. I welcome Foreign Minister Hoxhaj's assurance today that Kosovo remains committed to its relationship with EULEX and continues to seek a trustworthy and dynamic partner in its efforts to reform the rule of law sector.

EULEX is playing an increasingly important role as it takes forward the investigation into Senator Marty's allegations of inhuman treatment of people and illicit trafficking in human organs in Kosovo. While we note the concerns of some Security Council members, the paper from the Republic of Serbia and the comments of Foreign Minister Jeremić today, we are confident that EULEX fully meets the criteria set out by the Secretary-General when he called for a thorough, impartial and independent investigation into the allegations, with a strong witness-protection programme and the full cooperation of all stakeholders.

Having assumed rule-of-law responsibilities from UNMIK since 2008, EULEX has the authority and jurisdiction to investigate those serious allegations. It is both impartial and independent in carrying out its executive mandate, as evidenced by its work to date on sensitive issues, such as war crimes and missing persons. EULEX has the capability to carry out a thorough investigation, including witness-protection capability. The Mission's Witness Security Unit meets EU standards and can be upscaled, as necessary, to meet the demands of that investigation. It also has a proven track record of international legal cooperation with third States, both inside and outside the region. Finally, EULEX has the cooperation of the key stakeholders, having received assurances of full support and cooperation from Tirana and Pristina, and having already engaged closely with Senator Marty.

The United Nations has continued to play a crucial role in supporting reconciliation and cooperation. That has been highlighted in its work in support of missing persons and religious and cultural heritage. I would also like to underline the United Nations support, including through the United Nations Office for Project Services, for the census in northern Kosovo. An accurate census conducted throughout Kosovo is key to providing public services, now and in the future, to all communities living there. It is the citizens in the north who will suffer the most if the census there is not completed. The data needed to provide social, economic and health services will be lacking. The United Kingdom hopes that the census will proceed there this month, in accordance with the revised operational plan.

Finally, let me reiterate again the United Kingdom's commitment to work with all parties in support of a stable, prosperous and democratic Kosovo that enjoys genuine cooperation with all countries in the Western Balkans as they all move towards the EU.

Mrs. Viotti (Brazil): I welcome His Excellency Mr. Vuk Jeremić, Minister for Foreign Affairs of the Republic of Serbia, and thank him for his statement. I also thank Special Representative Lamberto Zannier for his briefing and Mr. Enver Hoxhaj for his remarks.

Stability in the Balkans remains an important goal. We continue to believe that resolution 1244 (1999) offers an adequate framework for a negotiated settlement that can address tensions in the region. Brazil reiterates its support for the work carried out by the United Nations Interim Administration Mission in Kosovo (UNMIK) in implementing the Security Council mandate. UNMIK's presence remains essential for stability in Kosovo.

We welcome the launch of the dialogue between Belgrade and Pristina and the willingness of both sides to find solutions that can have a positive impact on the daily lives of the population. We concur that the process of dialogue can pave the way for peace, security and stability in the region. This is important progress, which must be strengthened with the intensification of meetings and the support of UNMIK and regional organizations. We expect the dialogue between Belgrade and Pristina to ultimately lead to the solution of the political differences between both parties.

It is encouraging that the security situation since mid-January has been relatively calm, as reported by the Secretary-General, despite underlying political tensions. Nevertheless, the situation in northern Kosovo is particularly delicate. All sides must exercise caution and restrain and avoid actions that may undermine the situation on the ground.

As we stated last February (see S/PV.6483), Brazil is concerned at the allegations of inhuman treatment of people and illicit trafficking in human organs in Kosovo. The gravity of such allegations cannot be overlooked. A thorough, independent and credible investigation must be carried out. In this regard, it would be interesting to explore possible options that take into account the need to involve various jurisdictions and the importance of ensuring consistency with resolution 1244 (1999).

The Council should continue to keep political developments in Kosovo under close review and encourage the auspicious beginning of dialogue between Pristina and Belgrade. We are confident that a fair and legitimate solution to the outstanding political issues in the region can be reached under the auspices of the Security Council, consistent with its authority and primary responsibility in matters pertaining to international peace and security.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We would like to thank Mr. Zannier, Special Representative of the Secretary-General for Kosovo, for introducing the report (S/2011/281) of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (UNMIK). We welcome the participation of Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia, in today's meeting of the Security Council, and we share his views.

We listened closely to the statement by Mr. Hoxhaj. However, we must direct a comment at the Secretariat. As Mr. Hoxhaj was speaking in his personal capacity, the text of his speech should not have been distributed as it was. We are firmly convinced that this mistake by the Secretariat will not be repeated.

Russia's position on non-recognition of Kosovo's unilateral declaration of independence remains unchanged. We support the territorial integrity and sovereignty of the Republic of Serbia. We also believe that resolution 1244 (1999) remains fully in force and is binding for all as the international legal basis for Kosovo's settlement, as well as for ensuring security in the province. Moreover, the Security Council should continue to play a leading role in addressing the issue of Kosovo.

We welcome the resumption of dialogue between Belgrade and Pristina. We are convinced that a viable solution to the Kosovo issue can be reached only through negotiations. We believe that it is necessary to have an official presence by representatives of the United Nations Mission in Kosovo at meetings held in the framework of the dialogue between Belgrade and Pristina, given the need for the Security Council to receive adequate information about the progress and the substance of the talks and for the purposes of the quarterly report of the Secretary-General. That need also stems from the agenda of the meetings themselves. As we know, participants in the talks discuss issues

directly related to UNMIK, such as Pristina's chairmanship this year of the Central European Free Trade Agreement (CEFTA). In that regard, I would like to recall that UNMIK is the signatory of CEFTA for Kosovo.

We believe that the European Union, which is mediating the talks, must provide an appropriate place for the United Nations at the talks, especially given the possibility that the Organization may provide assistance. UNMIK should continue to provide maximum assistance for a settlement of the Kosovo issue, as well as to carry out its duties to ensure Kosovo's external representation in regional and international organizations and mechanisms.

We consider unacceptable the unilateral actions of Pristina and international presences in the north of Kosovo aimed at changing realities on the ground. In this context, we draw attention to the potentially explosive situation in the northern part of the province. There have been attempts to Albanicize local Kosovo police units and to extend the activities of Kosovo custom officers to the north. There is also the uncontrolled resettlement there of the Albanian population, which was not agreed with all interested parties. All of this will inevitably lead to an escalation of tension.

Of serious concern is the operation carried out in Zubin Potok on 15 February by the European Union Rule of Law Mission in Kosovo (EULEX), with the support of the Kosovo Force (KFOR) and the Kosovo Albanian police, to detain — as they stated — local criminal elements. In fact, the purpose was to detain importers of oil products from Serbia who refused to pay taxes into the Kosovo Government coffers. In the eyes of the local population, this operation stood out as an act of intimidation. We believe that in this case the international presences to which I have referred acted as an instrument of the Kosovo Albanian authorities, bringing to the north of the province the rules and ways established by the authorities in Pristina. We call on EULEX and KFOR to observe the status neutrality stipulated by their mandate.

We share the concern of the Serb authorities and the Serbian Orthodox Church about the situation that developed in connection with the transfer by NATO forces to the Kosovo police of the responsibility for protecting the most significant Serbian cultural and religious heritage sites. We believe that these actions could cause additional tension in Kosovo in the area of security, especially given that cases of theft and vandalism against Serb holy sites were once again documented during the reporting period.

The situation with regard to the return to Kosovo of internally displaced persons — including the Serbian population — continues to be unsatisfactory. There are many reasons for this situation, not the least of which is the fact that returnees do not have certainty about their own security.

On 19 April, the Minister for Foreign Affairs of Serbia sent a letter to the Secretary-General setting out the approaches of the Serbian side to the issue of carrying out an investigation in connection with the well-known report by Dick Marty about illegal trafficking in human organs in Kosovo. We support the proposal contained therein to establish, by decision of the Security Council, an international investigative mechanism accountable to the United Nations. It should be granted adequate resources to ensure the functioning of a reliable witness-protection programme. In carrying out its work, the mechanism should work closely with interested States, UNMIK and EULEX. Its progress and results must be reported to the Security Council through the Secretary-General. We are convinced that carrying out a detailed, de-politicized and independent investigation will be in the interests of establishing truth and reconciliation in the province.

We believe that arguments made today by Mr. Jeremić are more than convincing. We do not understand the aspirations of some colleagues in the Security Council to limit the investigation to EULEX, which has never done anything like that. The international community has, more than once, looked at these serious crimes; once we overlook them, we cannot do so a second time. We are convinced that we will revisit this issue in the Security Council in the near future.

Mr. Wittig (Germany): I would like to join colleagues in welcoming to the Security Council Foreign Minister Jeremić of Serbia, the new Foreign Minister Hoxhaj of Kosovo and Special Representative Zannier. I would like to thank Mr. Zannier for his comprehensive briefing. We appreciate the contribution made by the United Nations Interim Administration Mission in Kosovo (UNMIK) and commend the dedication and service of his staff.

The reporting period has been marked by significant political events. Kosovo went through a difficult political period after the Constitutional Court ruled on the procedure for the election of the President. Germany notes with satisfaction that these difficulties have been successfully overcome by democratic means based on a dialogue between the ruling coalition and opposition parties. There is now an opportunity to shift attention to the important challenges facing Kosovo. Let me comment on three aspects contained in the report of the Special Representative.

First, Germany welcomes the launch of the dialogue between Pristina and Belgrade, which aims at promoting cooperation, achieving progress on the path to the European Union and improving the lives of people in the region through practical arrangements. As facilitator of the dialogue, the European Union hosted the first three meetings in Brussels, which were conducted in a positive and constructive atmosphere. They showed that there is potential for reaching agreement between Pristina and Belgrade on much-needed arrangements in a number of areas, among which are a civil registry, cadastral data, telecommunications and electricity. This potential must be fully realized for the benefit of the people in the region. We call on both sides to continue the dialogue in good faith and produce tangible results as soon as possible.

Secondly, with regard to the security situation in Kosovo, Germany is pleased to note that the overall situation remained relatively calm during the reporting period. This also holds true for the situation in the north of Kosovo, where only one incident in the past three months was reported. This is encouraging. Nevertheless, chall nges remain and we share the assessment of the Secretary-General that solutions to practical issues found through dialogue between Pristina and Belgrade will help to alleviate the persistent underlying tensions in the northern part of Kosovo. We echo the call made by the Secretary-General on communities in the north to avoid taking any unilateral action that could undermine the situation on the ground and exacerbate those tensions.

My third point concerns the report of the rapporteur of the Parliamentary Assembly of the Council of Europe, Mr. Dick Marty, on alleged inhumane treatment of people and illicit trafficking in human organs in Kosovo. Let me stress that Germany continues to take this report very seriously. A full investigation is necessary of the allegations contained in the report of despicable crimes committed against Serbian nationals during and after the armed conflict in Kosovo. We have already stated that, in our view, there is no doubt that the European Union Rule of Law Mission in Kosovo (EULEX) has the capacities, competence and jurisdiction to carry out those investigations. EULEX has an independent and fully functional Witness Security Unit, which can be scaled up if necessary. EULEX has Germany's full support and confidence. As stated in annex I to the quarterly report of the Secretary-General (S/2011/281), EULEX has opened a preliminary investigation and its prosecutors have met with Mr. Marty to discuss his findings. The Government of Kosovo is ready for full cooperation. EULEX has established good cooperation with the authorities in Belgrade and Tirana. EULEX prosecutors have already met twice with the general prosecutor of Albania on this matter.

Let me conclude by underlining that Germany will continue to promote Serbia's and Kosovo's joint and shared European future.

Mrs. DiCarlo (United States of America): I would like to welcome Foreign Minister Jeremić back to the Security Council. I would also like to welcome Foreign Minister Hoxhaj to the Council today and to congratulate him on assuming his new position. I also thank Special Representative Zannier for his briefing and for his service on behalf of the international community.

Let me begin by congratulating the people of Kosovo on the election of President Jahjaga, the first woman to hold Kosovo's presidency and the first female head of State in the Balkan region. Her election is historic and heartening.

I will focus on three key points today. First, Kosovo has once again demonstrated the resilience of its young, multi-ethnic democratic institutions, even in the face of political challenges. The new Kosovo Government was constituted shortly after our last Security Council meeting on this subject (see S/PV.6483). It has the most robust, top-level, multi-ethnic representation the country has ever known. We are hopeful that the new Government will refocus Kosovo's energies on political and economic reforms to improve citizens' lives and further integrate Kosovo into the international community. We also welcome the agreement between the governing coalition and leading

opposition parties that followed the 30 March Constitutional Court ruling, which led to a peaceful transition of power from President Pacolli to President Jahjaga. We look forward to working with her and the new Government as they complete the important electoral reforms that were central to that agreement.

Secondly, Kosovo's institutions deserve the strong support of the Council and all parties present today as they work to extend the rule of law throughout Kosovo, including the north. The European Union Rule of Law Mission (EULEX) plays an important role in assisting Kosovo institutions develop a professional police force and judiciary, in line with European Union (EU) standards. NATO's Kosovo Force (KFOR) and EULEX continue to work with Kosovo border police to prepare Kosovo for full control of its southern border, and the Kosovo border police have assumed responsibility for additional controls along the Macedonia border. In recognition of the Kosovo police's professional standards, KFOR has continued to transfer responsibility for protecting Serbian Orthodox Church sites to them without incident.

The overall security situation in Kosovo has been relatively calm. We are encouraged by reports of increased engagement with Kosovo institutions by minority communities, including Kosovo Serbs. But we remain deeply concerned by the actions of the so-called parallel structures in northern Kosovo, which answer to the Government of Serbia. These parallel structures obstruct progress and freeze the unacceptable conditions in the north.

The international community, along with the Government of Kosovo, must ensure that Kosovo has a country-wide police and judicial system that serves and protects all communities and defends their members' rights to lead safe, secure and productive lives. We still witness threats of violence and acts of intimidation directed at ordinary citizens and at the Kosovo Government and international authorities. We have also witnessed the obstruction of the census in northern Kosovo and repeated efforts to block international assistance projects. All of these actions come at the expense of the people in the north, and none of these actions should be tolerated.

Thirdly, we welcome EULEX's decision to investigate the serious allegations in the report by the Parliamentary Assembly of the Council of Europe. EULEX has the jurisdiction and mandate to investigate and prosecute the types of criminal activity alleged in the report. We welcome Kosovo and Albania pledges to cooperate fully with the EULEX investigation.

The United States, as a EULEX-participating State, supports the Mission's activities. We are evaluating how we can best support the investigation. EULEX has already begun a follow-on investigation to those conducted earlier by the United Nations Interim Administration Mission in Kosovo and the International Criminal Tribunal for the Former Yugoslavia. As others have said, nothing in relation to the report's allegations would prevent EULEX from undertaking this task. Kosovo law and the EU joint action on EULEX explicitly provide for EULEX to investigate and prosecute serious crimes, and to do so independently.

Some assert that all investigations into war crimes in the ex-Yugoslav realm have taken place under Security Council auspices. That is incorrect. Many cases have been and still are being handled in domestic courts in the region, in Bosnia, Croatia and Serbia.

In conclusion, I hope we will all take heart from the great promise shown by this young country in its three years of independence. We have been particularly struck by the dynamic and engaged youth, who will forge so much of Kosovo's future — young men and women of all backgrounds who are working to deepen civil society, build up democratic institutions, expand economic opportunity and promote the rule of law.

The United States remains committed to a stable, prosperous, multi-ethnic and democratic Kosovo that is at peace with its neighbours. We continue to fully support the EU-facilitated dialogue between Belgrade and Pristina. We hope that it will lead to practical solutions to the continuing challenges of daily life for the people of Kosovo.

Seventy-five countries have now recognized Kosovo. We call on all remaining countries to contribute to stability in the region by welcoming Kosovo into the international community through formal recognition.

Mr. Amleyeoforl (Nigeria): I join others in thanking His Excellency Mr. Vuk Jeremić, Foreign Minister of Serbia, and Mr. Enver Hoxhaj for their statements. I would also like to thank Special Representative of the Secretary-General Lamberto

Zannier for his informative update on the situation in Kosovo.

Nigeria welcomes the report of the Secretary-General (S/2011/281) and the observation that the overall situation in Kosovo has remained relatively stable during the reporting period. We appreciate the efforts of the United Nations Interim Administration Mission in Kosovo (UNMIK) to foster cordial relations among all actors within the country and in the region. This remains vital to ensuring lasting peace, prosperity and stability in Kosovo. UNMIK therefore deserves the continued support of the Council and the international community.

Nigeria welcomes the ongoing European Union-facilitated talks aimed at regional development, enhancing cooperation among local actors and progress towards joining the European Union (EU). There is a need for the parties to remain engaged in the process and to show the flexibility, compromise and constructiveness needed to achieve results. We commend the European Union and UNMIK for their contributions and urge them to continue to offer their facilitation in support of the talks.

While the Secretary-General's report indicates that the situation in northern Kosovo is calm, the underlying tensions suggest that the situation remains fragile. Broad-based consultations aimed at promoting social change and reconciliation among the communities are needed as a matter of policy.

The Council can and should do more to help build confidence among the communities and consolidate peace and stability in the country and in the region. It is in this regard that we call on UNMIK to continue to play its pivotal role in facilitating inter-ethnic contacts and fostering cordial relations with international actors. We hope that the EU-facilitated talks will provide an opportunity to address more of the outstanding issues.

The low number of returns, forced returns and the fiscal and socio-economic limitations that impede the reintegration of returnees deserve serious and concerted action. We reiterate the importance of promoting voluntary returns and the viability of the conditions of return, such as access to public services, housing and property rights, and socio-economic activities. The law-enforcement authorities should also reinvigorate their efforts to curtain the harassment of, and attacks on, returnees. Such measures should go a long way towards promoting safe returns as well as reconciliation and the long-term stability and development of Kosovo.

On the issue of investigations relating to the inhuman treatment of people and illicit trafficking in human organs in Kosovo, we remain convinced of the need to bring to justice those held accountable. A thorough international investigation is therefore required. However, in such an effort, the various jurisdictional issues involved in the matter should be taken into account. It is essential that the relevant national authorities, UNMIK and the European Union Rule of Law Mission in Kosovo (EULEX) provide the necessary technical, organizational and logistical support to the investigation.

Nigeria appreciates the untiring efforts of the Special Representative of the Secretary-General and his team in the promotion of peace and security in Kosovo and in the region. We would also like to note in this regard our satisfaction with the cooperation between the Mission, EULEX, the Kosovo Force, the Organization for Security and Cooperation in Europe as well as United Nations agencies, funds and programmes aimed at improving the lives of all Kosovars.

Mr. Messone (Gabon) (*spoke in French*): My delegation would like at the outset to thank Minister Vuk Jeremić for his important statement. We welcome the presence at this meeting of Mr. Enver Hoxhaj, and we thank the Special Representative of the Secretary-General, Mr. Zannier, for his introduction of the report of the Secretary-General (S/2011/281).

The report notes the positive evolution of the political and security situation since the elections. Unfortunately, this is at odds with the allegations of serious violations of human rights.

Gabon, while reiterating its commitment to respect for sovereignty and territorial integrity, remains convinced that, as we emphasized during earlier debates, a lasting and peaceful resolution of the situation in Kosovo will require dialogue and consultation among all stakeholders. That is why we firmly believe that resolution 1244 (1999) represents the political and legal basis for a negotiated solution to the situation.

We welcome the developments in the political situation, including the resumption of direct dialogue

between the parties on 8 March in Brussels under the auspices of the European Union (EU). This augurs well for the continuation of talks, given the importance of the matters that were raised on that occasion, namely, the living conditions of the people living in Kosovo and technical subjects related to peace and stability in the region. My country urges the parties to continue to work in that direction and to maintain the political determination necessary to see the negotiations through. We welcome also the improvement in the security situation north of Kosovo despite continuing tensions on some fronts.

As the Council is aware, the reconciliation process in Kosovo always comes up against the failure to resolve three major issues, namely, missing persons, the return of refugees, and cultural and religious heritage. As those issues are of pivotal importance, my delegation urges the parties to continue, with United Nations Interim Administration Mission in Kosovo (UNMIK) facilitation, to address them with a view to achieving a lasting, consensus-based solution.

The possibility of establishing a climate of confidence between the parties could be compromised by allegations of inhuman treatment of people and illicit trafficking in human organs in Kosovo. We urge the Council to spare no effort in determining the facts and identifying those responsible. Crimes of such gravity cannot remain unacknowledged or unpunished.

Hence we call on the Council to promote the establishment of an appropriate mechanism for the carrying out of an in-depth, impartial and independent inquiry, with the participation of UNMIK.

Lastly, we reaffirm our support for Mr. Zannier and the staff of UNMIK and for all other partners on the ground in the important work that they are doing within the context of resolution 1244 (1999).

Mr. Yang Tao (China) (*spoke in Chinese*): I wish to thank the Special Representative of the Secretary-General, Mr. Zannier, for his briefing. We welcome the presence of the Minister for Foreign Affairs of Serbia, Mr. Jeremić, and also listened attentively to the statement made by Mr. Enver Hoxhaj.

While at present the overall situation in Kosovo is calm, it remains complex and fragile. We are concerned in particular at the inter-communal tensions in Kosovo. China hopes that the parties concerned will make joint efforts to maintain stability and avoid any acts that could cause tensions to escalate.

China respects the sovereignty and territorial integrity of Serbia. We have always believed that the situation in Kosovo has a bearing on peace, security and stability, not only in the Balkans but also in Europe as a whole. It is up to the parties themselves to find solutions that are acceptable to both sides within the framework of United Nations resolutions and through negotiations.

Since March 2011, there have been dialogues between Belgrade and Pristina. We welcome this development and hope that the two sides will maintain a constructive engagement aimed at reaching consensus on a wide range of issues. China appreciates the positive role that the European Union and the United Nations Interim Administration Mission in Kosovo (UNMIK) have played in facilitating dialogue between the parties.

Security Council resolution 1244 (1999) remains valid and an important legal basis for a solution to the situation in Kosovo. China encourages UNMIK to continue its work, in keeping with the mandate given it by the Security Council, and to play a greater role in resolving the situation in Kosovo.

China is concerned at the issue of illegal trafficking in human organs, as mentioned in the report of the Secretary-General (S/2011/281). No act in violation of international law and international humanitarian law can be condoned. China shares Serbia's legitimate concerns and supports the investigation into this matter by the United Nations.

Ms. Ziade (Lebanon) (*spoke in Arabic*): I thank Mr. Zannier for his briefing. I welcome Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia, and thank him for his statement. I also thank Mr. Enver Hoxhaj for his statement.

Allow me to make the following remarks. We express our support for the United Nations Interim Administration Mission in Kosovo (UNMIK) and welcome its efforts to promote security and stability and to facilitate dialogue and reconciliation in Kosovo and its participation in international and regional forums. We call on all parties to provide the support to necessary for UNMIK to carry out its mandate. We also welcome the ongoing coordination between UNMIK and the European Union Rule of Law Mission in

Kosovo within the status-neutral framework stipulated in resolution 1244 (1999).

We express our satisfaction over the continued relative calm of the security situation in Kosovo, although some incidents in the north have exacerbated tensions. It is therefore important for all parties to refrain from provocative acts and to maintain communication between the various communities. We also believe that UNMIK must continue to play a positive role in facilitating communication and coordination between the various communities.

We also welcome the launch of dialogue between Belgrade and Pristina, and commend the efforts of the European Union in that regard. We are encouraged by the fact that the dialogue is addressing a large number of significant practical issues, which will help to build confidence between the parties and pave the way for measures that will have a positive effect on the day-to-day lives of the people. In that regard, we welcome the positive role in support of the dialogue being played by the Special Representative of the Secretary-General. We hope that it will promote reconciliation between the various communities of Kosovo.

We note the importance of fighting organized crime. A neutral and independent investigation must be undertaken into the allegations of inhuman treatment and illegal trafficking in human organs in Kosovo that took place in 1999. The investigation must be carried out without being politicized and on the basis of the principle of accountability in order to achieve justice for the families of the victims. Accountability must be upheld as a principal foundation and pillar of sustainable peace.

Mr. Manjeev Singh Puri (India): I would like to join my colleagues in thanking the Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK), Mr. Lamberto Zannier, for his comprehensive briefing on the situation in Kosovo and the activities of UNMIK. I also want to thank His Excellency Mr. Vuk Jeremić, Minister for Foreign Affairs of the Republic of Serbia, for his statement outlining his country's perspective on the situation in Kosovo. We have also carefully listened to the statement of Mr. Enver Hoxhaj.

The Secretary-General's report on UNMIK for the quarter ending 15 April (S/2011/281) describes in detail the ground situation in Kosovo. We note with satisfaction that UNMIK continues with its endeavour to provide transitional administration to Kosovo, as mandated by resolution 1244 (1999), with the active cooperation and support of the Organization for Security and Cooperation in Europe, the Kosovo Force and the European Union Rule of Law Mission in Kosovo.

We welcome the commencement of a dialogue process between Belgrade and Pristina, facilitated by the European Union in accordance with General Assembly resolution 64/298 of 9 September 2010. We all know that from small beginnings come great things. India has always believed that the Kosovo issue should be resolved peacefully through consultation and dialogue between the concerned parties. We are happy that both sides have agreed to start discussing the topics that most impact the daily lives of the affected population. We hope that both sides will pursue serious dialogue until those immediate issues are resolved, and that they will eventually begin to deliberate on more complex political issues. We urge all parties to take no unilateral action that could undermine that reconciliation process. We appreciate UNMIK's contribution to facilitating this dialogue process, and feel that its continued engagement would be helpful.

We have also noted with satisfaction that UNMIK has facilitated cooperation between Belgrade and Pristina on the issue of missing persons through the Working Group on Missing Persons, chaired by the International Committee of the Red Cross.

While the overall security situation in Kosovo, especially in the northern part, has remained relatively calm, it is a matter of concern that underlying tension continues. Many untoward incidents of criminal assault, armed robbery, murder, shooting, damage of religious places and so on continue to be reported. We would appeal to the local authorities, especially the Kosovo Police, to be more vigilant and watchful.

The continued voluntary return of refugees recorded by the Office of the United Nations High Commissioner for Refugees is heartening. We are concerned by reports of opposition by some receiving communities. It is noted that a population and housing census took place during the period covered by the report, except in northern Kosovo, where it will be conducted at a later date. It is hoped that the census

will appropriately reflect the plight of displaced persons and not legalize any ethnic cleansing.

We have also noted the Secretary-General's view that the Kosovo authorities remain fundamentally sceptical about UNMIK facilitation of their engagement in international and regional initiatives. We hope that they will not seek to undermine UNMIK's role, mandated by the Security Council, and will instead fully cooperate with UNMIK and other United Nations and European Union institutions.

We agree with the Secretary-General's view that there is a need for thorough, impartial and independent investigation into the allegations contained in the report of Council of Europe Special Rapporteur Dick Marty. All stakeholders should agree on the creation of a mechanism to carry out the follow-up investigation, which should be fully supported by national and international entities present in Kosovo.

In conclusion, let me reiterate India's consistent position that all issues concerning Kosovo should be resolved peacefully through consultation and dialogue between the concerned parties. Only thus can the aspirations of all the people be met on an enduring basis, and lasting peace and stability be established in the region. We applaud the role played by UNMIK in upholding the goals of the United Nations.

Mr. Moraes Cabral (Portugal): Like others, I wish to thank Special Representative Lamberto Zannier for his very comprehensive briefing to this Council, and the Minister for Foreign Affairs of Serbia, Mr. Vuk Jeremić, and Mr. Enver Hoxhaj for their remarks.

The report of the Secretary-General (S/2011/281) offers a factual and comprehensive analysis of the situation prevailing in Kosovo, of the progress made during the period under review and of the significant challenges that still lie ahead in terms of ensuring security, stability, economic development and respect for human rights. It clearly makes the case for the continued commitment of the international community in order to support the people and authorities of Kosovo in their efforts to overcome those challenges and build a modern democratic State.

In that sense, Portugal reiterates its appreciation and support for the work being done and wishes to thank and commend the United Nations Interim Administration Mission in Kosovo (UNMIK), the Kosovo Force, the European Union Rule of Law Mission in Kosovo (EULEX) and the Organization for Security and Cooperation in Europe for the accomplishments achieved. We also wish to highlight the active engagement of UNMIK with the communities and authorities in Kosovo and with the Governments of Serbia and Albania in order to fulfil its mandate. That commitment and cooperation are essential for furthering our common aims in Kosovo, but they are also a very important element in guaranteeing peace and stability in the whole region and promoting cooperation in the Balkans.

Since our last meeting on UNMIK (see S/PV.6483), the nomination of a new President and Government have taken place in Kosovo. It is encouraging that the crisis around the presidential election and the appointment of Ms. Jahjaga took place within the applicable institutional framework and without disturbance. Another important development has been the beginning of the meetings of the Pristina-Belgrade dialogue, facilitated by the European Union (EU). A number of significant issues have been identified and discussed. I would, as an example, mention those pertaining to civil registry and cadastral information, as well as regional economic cooperation and the movement of goods and freedom of movement, as particular important ones. It is important that this dialogue proceeds on all outstanding issues, with the aim of producing results in the near future. We encourage the parties to engage actively in that sense.

Despite the fact that the overall security situation has remained relatively calm since the beginning of the year, it is obvious that more efforts must be made in order to fight and prevent organized crime, put an end to trafficking in drugs and human beings and stop all criminal incidents that target both Kosovars and members of the international community. We take good note that the Kosovo police conducted a number of successful operations aimed at putting a stop to some of these criminal activities. We encourage them to redouble their efforts in that area.

On the other hand, in the community, criminal acts and vandalism and theft affecting cultural and religious sites are still occurring. The situation in the north remains tense. Other elements that may trigger renewed tensions abound. We commend UNMIK's efforts and dedication to ensure peace and security, but those efforts will be to no avail without the full commitment of the people of Kosovo themselves to

engage fully and in good faith in a process leading to the settlement of their differences.

Let me also stress the importance of the ongoing cooperation between Kosovo authorities and EULEX with regard to the rule of law, namely, on access to justice, policing and investigation, criminal prosecution and compliance with international human rights standards in civil and criminal proceedings. Again, the task facing Kosovo's Administration is one of institution- and capacity-building. We commend and support the efforts made by the EU Special Representative in that context.

Concerning the report of Senator Dick Marty to the Council of Europe, I took note of the Secretary-General's reference in his report (S/2011/281) to the initiatives that UNMIK and EULEX have undertaken in that regard. I am encouraged by the declared intention of the Kosovar and Albanian authorities to cooperate fully in the investigations. In that context, I also call upon all other countries that are in a position to elucidate on these very serious accusations to come forward and help.

I also paid careful attention to what Minister Jeremić said to the Council, as well as to the contents of the Serbian concept paper that circulated previously defending an international investigation, as well as to the letter of the Secretary-General of 4 May. I wish to make two comments on this matter.

First, with regard to the nature of organ trafficking, this is a complex criminal activity that requires a sophisticated network and the complicity of a variety of different actors, and not only doctors and recipients. It has become a horrendous international traffic that often has to rely on the complicity of authorities in different countries. Nearly a year ago, the General Assembly adopted the Global Action Plan against Trafficking in Persons, which of course includes trafficking for the purpose of organ removal and trafficking in organs.

Dick Marty's report further underlines the importance and reach of the Action Plan, which promotes the universal ratification of the Convention against Transnational Organized Crime and its trafficking protocol, while reinforcing State's national and regional commitments to prevent and combat such trafficking, as well as strengthening cooperation among States, international organizations and other stakeholders. All of these elements can be particularly relevant when addressing not only Senator Marty's allegations but also the case referred to in annex I of the Secretary-General's report concerning the indictment of defendants in the so-called Medicus case charged with illegal kidney transplant. The EULEX report states that

> "Kidneys were allegedly removed from impoverished individuals, recruited on false promises of payment that they never received, then transplanted to wealthy foreign patients." (*S/2011/281, annex I, p. 16*)

In all its horror, that sentence encapsulates the particularly heinous nature of this type of crime.

My second comment concerns the investigation of the alleged facts presented in the Council of Europe's report. Time and again, the Security Council has rightly denounced impunity and defended the assertion that the perpetrators of serious crimes and violations of human rights must be brought to justice. Impunity is not only intolerable in itself, it can also be an obstacle to peace and to a healthy and cooperative political environment, as so many cases illustrate. The allegations made by Senator Marty, if proven, will weigh lastingly on our collective memory and conscience. Their seriousness warrants a thorough, complete and independent investigation.

Portugal fully supports the role of EULEX in that context. We were happy to learn that investigations have started and we hope that they will allow for the full clarification of the allegations. Portugal also stands ready to work within the institutional framework of the European Union to better equip EULEX with the necessary capabilities to allow it to address the situation adequately and efficiently. But as I stated here last February, the seriousness and relevance of this issue demands that we follow it closely and keep an open mind on any future action that the full pursuit of the investigations may require.

That is why we view the letter of the Secretary-General offering the United Nations assistance with the independent investigation as an important element in this context, to which due consideration should be given if the evolution of the investigations presently being carried out so warrant.

Despite all the difficulties, the situation in Kosovo has evolved positively during the past three

months. We hope and trust to register new progress when we again meet to discuss UNMIK's next report.

In conclusion, allow me to once again underline the importance of the dialogue between Belgrade and Pristina. High hopes and much room for progress and tangible results lie in those conversations. It is Portugal's strong belief that peace and security in the region require sustained commitment from all sides to democratic institutions, the rule of law, justice and human rights. Those will, in the future, prove to be the enduring mark of the cooperation of the international community in the Balkans.

Mr. Sangqu (South Africa): South Africa would like to thank Special Representative of the Secretary-General Zannier for his briefing to the Security Council today. We wish to convey our support to the United Nations Interim Administration Mission in Kosovo (UNMIK) for the work it has done in Kosovo over the years. We also welcome Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia, and we thank him for his statement. We also welcome Mr. Hoxhaj.

South Africa remains convinced that resolution 1244 (1999) continues to be the legal basis for the resolution of this crisis, and that it remains in force as mandated by the Council.

My delegation welcomes the report that direct dialogue, as mandated by the General Assembly and facilitated by the European Union, has started between Pristina and Belgrade, a process we fully support. We have noted that the meetings to date have focused on critical matters aimed at improving the lives of the people of Serbia and Kosovo. We welcome the fact that this process has taken place in a positive and constructive atmosphere. My delegation encourages the parties to continue their dialogue in that atmosphere, aimed at finding lasting solutions.

Moreover, we believe that this regular direct contact between the parties is an important confidence-building measure that will hopefully help the parties to address more difficult matters. Sustainable peace, stability and development in the region will be served by reconciliation between Belgrade and Pristina. We therefore encourage the parties to continue with this process of dialogue in good faith and to exert all efforts to achieve agreement in the spirit of compromise. We have noted that the Secretary-General has remarked on the cooperation between the European Union and the United Nations on this matter. We agree with his assessment that continued reporting to the Security Council on the process of dialogue is essential.

On reconciliation, we are pleased with the continued progress made in the Working Group on Missing Persons, chaired by the International Committee of the Red Cross. We encourage the parties to continue with those efforts. However, we are concerned by the lack of funding for the Reconstruction Implementation Commission, which is tasked with the reconstruction and preservation of religious and cultural heritage sites. The work of the Commission is an important factor in reconciliation efforts. Its work should continue beyond 2011.

We welcome the slight improvement in the situation in northern Kosovo, which is calm but tense. However, that improvement will not be served by the repeated efforts of Pristina to deploy Kosovo Police units without consultation with local communities, which have been construed as methods of intimidation. It is important that all sides consider their actions and focus their efforts on maintaining and building conditions for dialogue and reconciliation.

During the Council's debate on this issue in February (see S/PV.6483), we stated that the limited progress on reconciliation between the communities could be undone by the allegations of organ smuggling against several leading Kosovo personalities, as reflected in the so-called Marty report adopted by the Parliamentary Assembly of the Council of Europe. It is important that a credible, thorough, impartial and independent inquiry into these allegations be conducted as quickly as possible. It is also essential that such and investigation have the ability to conduct investigations outside of Kosovo and have a strong witness protection programme.

In this regard, we have noted the statement by the European Union Rule of Law Mission in Kosovo that it has the capacity, expertise and jurisdiction to handle the investigation and that it has assumed responsibility for it. Equally, we have noted the request by Serbia that the Security Council mandate an ad hoc mechanism under its authority to conduct this investigation. South Africa has taken note of the concept paper circulated by the Serbian Government in this regard (S/2011/256), and we will continue to study it carefully.

Mr. Osorio (Colombia) (*spoke in Spanish*): My delegation would like to thank Special Representative

Lamberto Zannier for his work. We also thank the United Nations Interim Administration Mission in Kosovo (UNMIK) for its work, including its promotion of closer relations among communities and of interreligious contact as a strategy for long-term security. I also thank Mr. Jeremić and Mr. Hoxhaj for their statements, and I congratulate Mr. Hoxhaj on his appointment.

Colombia sees the dialogue between Pristina and Belgrade as an encouraging step towards finding lasting solutions to their joint issues, and we welcome the role of the Mission in facilitating interaction. We therefore welcome the progress on technical issues in bilateral talks held in Brussels, such as property law, telecommunications, regional trade and freedom of movement. In this context, we consider the Security Council's proactive support for the dialogue to be constructive, in the belief that such dialogue is the basis for any lasting resolution of the differences between Serbia and Kosovo.

We reiterate our concern about the complaints of inhuman treatment of persons and illicit trafficking in human organs, and we agree with those speakers who have affirmed that a thorough, impartial and independent investigation into the grave accusations is essential. In this context, we call for the investigation into the alleged crimes to begin as soon as possible. Likewise, we believe that if such investigations are to succeed, they must include an adequate witness protection programme and the cooperation of all parties involved.

The Secretary-General's report on UNMIK (S/2011/281) notes that, during the reporting period, a number of people, including public officeholders, were arrested by the European Union Rule of Law Mission in Kosovo (EULEX) for alleged war crimes. In such circumstances, my delegation believes it necessary to call for the cooperation of all parties involved and all the accused at all stages of inquiry, not only to bring investigations to a close and to punish the guilty, but also to strengthen legal institutions and respect for the rule of law.

We support a regional approach to addressing problems between the parties, and especially urge the involvement of the European Union and the Organization for Security and Cooperation in Europe in reconciling Pristina and Belgrade. Colombia supports the work of the United Nations Interim Administration Mission in Kosovo aimed at promoting a favourable political, social and economic atmosphere in that country, leading to peace and stability in the Balkans sufficient to hold peaceful and transparent presidential elections in the fall of 2012.

The President (*spoke in French*): I shall now make a statement in my national capacity.

I thank the Minister for Foreign Affairs of Serbia and the Minister for Foreign Affairs of Kosovo for their presence and their statements. I also thank the Special Representative of the Secretary-General and welcome the work that he and the staff of the United Nations Interim Administration Mission in Kosovo are carrying out in Kosovo.

I will highlight three points.

First, a special effort should be made to strengthen institutions and the fight against corruption and organized crime. As recalled by Mr. Zannier, Kosovo has a new Government that must face these challenges, and we must help them. That is why France is working alongside Kosovo and the other States of the region to bring them closer to European standards, particularly in the area of the rule of law. We express our full support for the European Union Rule of Law Mission in Kosovo (EULEX), which is doing outstanding work.

Secondly, dialogue between Serbia and Kosovo, under the auspices of the European Union, is of crucial importance. Several meetings have already been held and concrete subjects have been discussed. We hope that those discussions, aside from their potential benefits for the population's daily life, will build confidence between the parties. It is up to the two States to show a spirit of compromise and creativity. The United Nations is informed on a regular basis and will be invited to participate when necessary.

Lastly, reconciliation and justice go hand in hand. That is the logic of the European project. In that light, we take very seriously the allegations contained in the report of the Parliamentary Assembly of the Council of Europe, submitted in late 2010. They should be the subject of a methodical and dispassionate investigation. EULEX opened a preliminary investigation at the end of January to shed some light on the allegations. The investigating team held several meetings outside of Kosovo, in Albania and in Serbia. The Albanian authorities committed to providing their cooperation.

EULEX has an operational team that is dedicated to witness protection, respects European standards and may be reinforced. An international, impartial investigation is thus under way. We call on all States concerned to cooperate with EULEX. France will continue to support the process of rapprochement for Kosovo and entire Western Balkans with Europe.

I now resume my functions as President of the Council.

I give the floor to Mr. Jeremić for a further statement.

Mr. Jeremić (Serbia): I would just like to make a brief comment on some of the statements made today.

On the subject of the Security Council giving mandates to investigate war crimes in the Balkans, I would like to reiterate that all of the war crimes that have been investigated were investigated under the auspices of the Security Council, and transferred to national courts of States Members of the United Nations only after agreement between those Member States and the International Criminal Tribunal for the Former Yugoslavia, which was established by the Security Council.

As we all know, Kosovo is not and will not become a State Member of the United Nations. All major crimes committed by major officials and wartime commanders in Yugoslavia were investigated under the auspices of the Security Council and with the requirement that those who conducted the investigations report back to the Security Council on their work. I fail to understand the fervour of the opposition to the Security Council's mandating and receiving a report on the findings of such investigations, unless there is something to be hidden from this Council.

According to Amnesty International, Human Rights Watch, the European Law Enforcement Agency and other international organizations, some of which I quoted in my statement earlier today, Kosovo is at the bottom of lists when it comes to human rights and security, contrary to Mr. Hoxhaj's claims, in rebuttal to my statement, that it is a young, dynamic, developing democracy.

If we are to talk about multi-ethnicity, inclusion and tolerance in Kosovo, I would just like to draw the Council's attention to the following numbers. There are more people sitting around this table than there are Serbs left in Pristina, out of the total pre-war population of 40,000. In Prizren, the ancient capital of Serbia, today there are 18 Serbs out of the pre-1999 population of 10,000. In Gnjilane today, 100 remain out of 15,000. In Urosevac, there is one Kosovo Serb, and in Suva Reka, zero.

More than 205,000 people have been expelled from Kosovo since 1999, according to the numbers of the United Nations High Commissioner for Refugees. Less than 15,000 have returned in a decade, less than 300 since the unilateral declaration of independence, and only 47 this year. So much for multi-ethnicity and inclusion in Kosovo.

The President (*spoke in French*): I give the floor to Mr. Hoxhaj for a further statement.

Mr. Hoxhaj: Let me be brief with my remarks, without taking a lot of the Council's time.

Let me be clear that the Government of the Republic of Kosovo is very much interested in cooperating fully with the European Union Rule of Law Mission in Kosovo (EULEX). We think that EULEX has the professional capacity and enough people — more than 1,600 — with whom we can cooperate in order for all the allegations made by Mr. Marty to be investigated. At the same time, it is very important to us that those allegations be investigated as soon as possible, as our country needs to have clarity on this issue.

Secondly, I would like to inform the Council — and here I can speak from my own experience — that during the Vienna talks of 2005-2007, we were able to develop, in the Ahtisaari plan, the best provisions and mechanisms for the protection of cultural heritage. That cultural heritage has been protected for all time by the people living there — Albanians, Serbs, Turks, Bosniaks and other communities — and it will always be protected.

At the same time, I would like to inform the Council that the Ahtisaari plan today has been more than 80 per cent implemented. Pursuant to the Ahtisaari plan, new municipalities have been created that are providing Kosovar Serbs with the best way to accommodate their own interests and priorities. Perhaps the reason that Mr. Jeremić described the situation as he did in his feedback is because he has never visited the country, and he is describes a situation that does not exist and that never existed.

The President (*spoke in French*): There are no further speakers inscribed on my list.

The meeting rose at 5.15 p.m.